

# WISCONSIN LEGISLATIVE COUNCIL STAFF

## RULES CLEARINGHOUSE

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## CLEARINGHOUSE RULE 98-009

### Comments

**[NOTE:** All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]

### 2. Form, Style and Placement in Administrative Code

a. SECTION 3 of the rule purports to repeal a Note after s. VE 1.02 (9). However, the current rule contains no note after sub. (9). In addition, the reference to s. VE 1.02 need not be repeated. Thus, the treatment clause may simply read: “The Notes following s. VE 1.02 (4), (8) and \_\_\_ are repealed.”

b. SECTION 4 of the rule creates a definition for “veterinarian-patient-client relationship,” and indicates that it has the meaning in s. 453.02 (8), Stats. However, the statute defines the term “veterinarian-client-patient relationship.” The rule should be consistent with the statute. [Also see s. VE 7.06 (10).]

c. SECTION 7 of the rule creates a Note after s. VE 1.02 (5). If the Note is to be located after the referenced subsection, its treatment should come immediately after SECTION 3 of the rule. However, if the Note is to be included after a different subsection of the current Wisconsin Administrative Code, e.g., after s. VE 2.01 (5), the treatment clause needs to be amended to reflect its proper placement. In addition, if the Note is intended to place a substantive requirement on the board or its designee, and not be a mere reference to the Americans With Disabilities Act, the requirement should not be relegated to a note but should instead be in a substantive provision of the rule. [See s. 1.09 (1), Manual.]

d. In the treatment clauses in SECS. 20 and 21, the first two occurrences of the term “(intro.)” can be deleted since entire subsections are renumbered.

e. It does not appear that the rule treats current s. VE 3.05 (6), even though another provision is renumbered sub. (6). The treatment of current s. VE 3.05 (6) should be reviewed.

f. In s. VE 6.04 (2) (c), the word “regulation” should be replaced by the word “rule,” if the reference is to provisions of the Wisconsin Administrative Code.

#### **5. Clarity, Grammar, Punctuation and Use of Plain Language**

a. The changes to the passing scores of veterinarian and veterinary technician examinations in s. VE 2.03 (1) and (2) are unclear. For example, it is not clear when the passing score will be determined. Will the passing score be determined prior to the examination or after the examination? Part of the confusion over this issue may be found in the requirement that the subject matter experts review “available candidate performance statistics.” What are these statistics? Are they results of the examination, results of educational courses taken or both? The content of these statistics should be clarified. Also, will candidates know what the passing score is when they take the examination? How will they be notified of the passing score?

b. There are two periods after s. VE 6.04 (2) (a), as recreated by the rule.